

Minutes of the State Board of Health

October 15, 2003

The Washington State Board of Health (SBOH) met at the Yakima Convention Center located at 10 North 8th Street in Yakima, Washington. Chair Linda Lake called the public meeting to order at 9:02 a.m. and addressed the attendees with the following statement:

“This is a public meeting of the State Board of Health held under provisions of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Olympia office and on the Board’s Web site at www.doh.wa.gov/sboh. They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we feel will be needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Executive Assistant Desiree Robinson, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

SBOH members present:

Linda Lake, MBA, Chair
Thomas H. Locke, MD, MPH, Vice Chair
Carl Osaki, RS, MSPH
Charles Chu, DPM
Ed Gray, MD

Vickie Ybarra, RN, MPH
The Honorable David Crump, PhD
Maxine Hayes, MD
The Honorable Carolyn Edmonds

SBOH members absent:

Joe Finkbonner, R.Ph., M.H.A.

State Board of Health Staff present:

Don Sloma, Executive Director
Craig McLaughlin, Sr. Health Policy Manager
Doreen Garcia, Senior Health Policy Advisor
Tara Wolff, Health Policy Advisor

Marianne Seifert, Health Policy Advisor
Desiree Robinson, Executive Assistant
Jennifer Dodd, Assistant to the Board

Guests and Other Participants:

Andrea Hill, Washington State Dairy Council
Art Busch, Washington Education
Association Midstate
Barbara Greenberg, Yakima #7 School
District Board of Directors

Benjamin Soria, Yakima School District #7
Bette Brandis, Office of Superintendent of
Public Instruction
Betty Craig CDH CFPF, Wapato School
District

Brian Pease, Yakima Health District Board
Bunker Frank, Washington State Board of Education
Caroline McNaughton Tittel, UW Center for Public Health Nutrition
Charlotte Hardt, WSU Area Health Education Center
Corey Sinclair, Toppenish School District
Cynthia Shurtleff, WA Chapter American Academy of Pediatrics
Debbie Lee, Department of Health
Diana Yu, Thurston County Public Health and Social Services
Donna Johnson, UW Center for Public Health Nutrition
Donna Larsen, Snohomish Health District
Evan Oakes MD, concerned citizen
Gail Weaver, National Hospital Association
Gordon Kelly, Yakima Health District Environmental Health Director
Greg Williamson, Office of Superintendent of Public Instruction
Harvey Wallace, National Association of Local Boards of Health
Jay McNeal, National Association of Local Boards of Health
Joanne Killian, Sunnyside #201 School District Board of Directors
John Piper, Toppenish School District
John Thompson, Department of Health
Joyce Roth, Toppenish School District
Karen Valenzuela, Department of Health

Kathy O'Meara-Wyman, Washington Dental Service Foundation
Linda Jackson MS RN, Spokane Regional Health District
Lindsay Hofman Phd DABCC FACB, concerned citizen
Marcia Becker Sandersen, Hearing and Speech Center
Martha Rose Laffey, WA State School Directors Association
Marv Purvis, ESD 105
Mary Kenfield, WA State Parents and Teachers Association
Maryanne Guichard, Department of Health
Michele Davis, Department of Health
Mike Glass, Department of Health
Pam Tollefsen, Office of Superintendent of Public Instruction
Patty Hayes, Department of Health
Peggy Harris, Save Babies Through Screening
Rhoda Donkin, WA State Senate
Rick Mockler, Snohomish Health District
Ron Gamache, Yakima Health District Board of Health
Shelley Curtis, Children's Alliance
Sue Lankow, Office of Superintendent of Public Instruction
Susan Laarman, Stonyfield Farm Inc.
Victor Colman, Department of Health
Vincent Hsu MD MPH, Public Health—Seattle & King County
Wendy Doescher, Yakima Health District

APPROVAL OF AGENDA

Motion: Approve October 15, 2003 agenda

Motion/Second: Crump/Locke

Approved unanimously

ADOPTION OF July 9, 2003 MEETING MINUTES

Motion: Approve the July 9, 2003 minutes as written

Motion/Second: Crump/Locke

Approved unanimously

WELCOME REMARKS

Don Sloma, Executive Director introduced National Association of Local Boards of Health (NALBOH) representatives Harvey Wallace, Past Board Member and Jay McNeal, Preparedness Director. Mr. McNeal described NALBOH's role and said the SBOH report of State Boards of

Health placed SBOH at the forefront of understanding the roles of state and local boards. Mr. Wallace reviewed the development of a governance document designed to help local boards assess their activities. He invited SBOH to join NALBOH and suggested NALBOH might consider a name change to reflect membership by state boards. Chair Lake mentioned that she and SBOH staff had discussed with NALBOH developing an assessment document for state boards and testing that tool on SBOH. Board Member Maxine Hayes asked about NALBOH's experience with coalition building. Mr. Wallace said NALBOH works in coalitions extensively. He said the governance document is a gold standard, and meeting it may require coalitions so other community groups can take on functions not provided by local boards. Board Member Carolyn Edmonds spoke to the problem of diminishing public funding. She asked how a relationship with NALBOH would address that. Mr. Wallace said he did not know.

DEPARTMENT OF HEALTH UPDATE

Dr. Hayes noted that October is breast cancer awareness month. Susan G. Komen Breast Cancer Foundation had donated \$250,000 to DOH for additional breast cancer screening. She reported that Washington had received an 'A' grade on a national report card for its cancer registry. She said Washington was the only state to get two Healthy Steps federal grants, and one of only four to get a state-coordinated grant. She mentioned that funding for the emergency preparedness work has been renewed for next year with a greater focus on chemical and radiological threats. She also described the launch of the 5-A-Day program through an extensive media campaign.

SBOH ANNOUNCEMENTS & OTHER BOARD BUSINESS

Mr. Sloma directed the Board to the tentative meeting schedule for 2004. He introduced Tara Wolff and announced that she recently been added to the SBOH staff to replace Doreen Garcia. He also mentioned that Jennifer Dodd would be leaving the Board staff because she had accepted a position with the Department of Health. He distributed materials about the Featherstone Reid award and encouraged Board members to think about nominees and spread the word. He discussed the 2003 Washington Health Legislative Conference scheduled for December 11. He directed the members to the Attorney General opinion on use of government resources during political campaigns and to an invitation from Governor Locke for each Board member to attend a reception and training. He announced that Marianne Seifert has been invited to participate in a nation wide CDC sponsored conference call on school environmental health activities. Then he pointed out a letter from Board Member Vickie Ybarra to the Department of Social and Health Services concerning health disparities and proposed changes to Chapter 388-533 WAC regarding the First Steps program.

WASHINGTON HEALTH FOUNDATION DRAFT VALUES STATEMENT

Mr. Sloma directed the Board to the materials behind Tab 06. The Washington Health Foundation asked that Mr. Sloma speak at its Health Leadership Summit on behalf of the Board about the key values that the Board brings to the health reform debate. He asked the Board to review a short statement he drafted in consultation with various Board members. Board Member Tom Locke said his goal is to maintain a bold and specific tone. There needs to be a voice for universal access, he said, or we will never get to the goal of a healthy community. The draft statement highlights the need to look at basic public health infrastructure. Board Member Ed Gray added that we need to spend more of the money that goes to health care on taking care of people. He said much of the money is now going to administrative processes. Board Member David Crump asked if everyone has agreed on a core set of services. Dr. Locke replied there is no

agreement on core set services, or even on the need for a core set of essential services. Mr. Crump asked about the definition of “relatively effective.” Mr. Sloma used the example of certain drugs’ effectiveness not being proven. Dr. Hayes asked that Mr. Sloma’s discussion at the Summit address social determinants of health. Chair Lake sought and received Board agreement on Dr. Hayes’ point. Ms. Edmonds asked that the reference to charities be changed to nonprofits.

Motion: The Board approves the Draft Washington State Board of Health Statement of Values to Guide Health Care Reform, incorporating changes directed by Board members in their October 15 review of that statement, for presentation to the Washington Health Foundation Health Leadership Summit.

Motion/Second: Ybarra/Edmonds

Approved unanimously

FINAL BOARD WORK PRIORITIES 2003-2005

Don Sloma, WSBOH Executive Director reviewed several suggested changes to the Board priorities contained in the memo behind Tab 7. After some discussion, the Board took the following action:

Motion:

The Board approves of the following additions to its 2003-2005 work plan:

- 1) Board member Edmonds should pursue regular publication of news about the Board’s activities in the “Courthouse Journal”;***
- 2) Board sponsors should communicate to those groups now advising on rule changes for the Board’s consideration that rule revision processes should be no longer or more complex than is required for the efficient consideration of relevant information and points of view. The Board intends that proposals now being developed for its consideration adhere to the principles of regulatory reform, especially simplicity, clarity, specificity and justification of burdens on businesses, citizens and government in public health terms;***
- 3) The assessment of the Board’s activities on promoting health workforce diversity and improved school physical activity and nutrition policies and practices should occur as part of those projects;***
- 4) When a rule change is proposed, its Board sponsor should work with staff to specify the intended impact, the timeframe within which that impact is anticipated and the information the Board should require of proponents to help the Board assess its effectiveness;***
- 5) As time is available, a specific proposal should be developed for the Board’s consideration on collaborating with CDC and NALBOH on an assessment of Board operations; and***
- 6) A possible joint meeting with the King County Board of Health and a possible local board of health technical assistance opportunity on promoting healthy aging and elderly friendly communities should be developed.***

Motion/Second: Edmonds/Locke

Approved unanimously

2004 STATE HEALTH REPORT DISCUSSION

Craig McLaughlin, WSBOH Policy Manager reviewed the State Health Report process and proposed format (see memo behind Tab 8). Dr. Locke stated that he liked the format and the proposed “reality check” section. Not acknowledging financial realities would reduce the report’s credibility, he said. Chair Lake asked staff to try to incorporate the messages and tone of the Washington Health Foundation values statement into early drafts of the report, recognizing it may need to change later in response to input from various partners.

PUBLIC HEARING FOR CHAPTER 246-650 WAC: NEWBORN SCREENING

Doreen Garcia, WSBOH Staff introduced the topic. Dr. Locke reviewed the process leading up to the proposed revisions to Chapter 246-650 WAC, including the five new candidate disorders, privacy language, and implementation (see memo behind Tab 09). He reminded the Board about its stated goal of considering new screening candidates, such as cystic fibrosis. Dr. Locke added that he will be on a Centers for Disease Control and Prevention panel explaining Washington's position on not testing for cystic fibrosis. Dr. Hayes, State Health Officer added that this is part of a good faith effort to consider cystic fibrosis and other screening tests as information becomes available – that this rule revision is part of an ongoing process.

Chair Lake opened the formal comment period for the rule revision of Chapter 246-650 WAC at 11:00 am.

Lindsey Hoffman, a clinical chemist, testified that Washington has the highest cost per test of all states; asked if money from the fee would go to follow up, and said DOH laboratory staff may not be capable of performing complex tandem-mass spectrometry (TMS). (See Ms. Hofman's written testimony for more information.) Dr. Hayes reviewed the task forces' criteria for inclusion of tests, adding that cost was not one of the criteria. She commented that some of Ms. Hoffman's suggestions go beyond the purview of the state mandatory testing program, but said information on other disorders can be provided to health care providers. Dr. Locke added that the technology is very dynamic, which is the reason for the open-ended process created. The Board's task is to focus on which tests should be added.

Peggy Harris testified that she represents her grandson and Safe Babies Through Screening, and that she sat on the Newborn Screening Advisory Committee. She expressed her appreciation for participating on the committee, and her disappointment that Washington won't be testing for additional disorders. She added that she would like to get back to the table soon, not wait two years and spend time looking at disorders that are treatable. She suggested going through the disorders one by one, using the criteria from the committee process.

Marsha Sanderson, executive director of Hearing and Speech Center, said Washington State is one of a handful of states that does not screen for hearing, adding that hearing screening costs are low compared to screening for other disorders, and that the benefits are great. She added that hearing loss impacts students' ability to communicate.

Ms. Garcia referred the Board to testimony received in writing included in Board packets and to a sheet of amendments suggested in response to those comments (see Tab 9). Dr. Chu asked about the ability to screen for diseases if patients would pay for additional costs. Dr. Locke replied that TMS has been available in the private sector. Dr. Hayes added that these test mandates do not preclude patients requesting additional tests as part of the relationship between health care providers and patients. Dr. Gray asked if that ability is commonly understood. Mike Glass, Department of Health (DOH), replied that DOH is revising its pamphlet to inform people about newborn screening options and to encourage patients to speak with their provider. Dr. Gray asked if a Medicaid patient was high risk, and met criteria, would they be eligible for additional testing. Bill Hagens, Policy Director, Medical Assistance Administration, DSHS, suggested Board members address their questions about Medicaid to him and he would find out. Dr. Hayes added

that DOH is working with hospitals and health care providers to standardize screening practices. Chair Lake asked staff to bring answers to Dr. Gray's Medicaid question back to the Board.

Motion: The Board adopts the changes to Chapter 246-650 WAC Newborn Screening.

Motion/Second: Locke/Crump

During discussion of the motion, Dr. Locke proposed a packet of amendments to the draft rule described in the yellow document behind Tab 9.

Motion: Adopt the package of amendments described in "Suggested Amendments to Chapter 246-650 WAC, Newborn Screening" as submitted by Dr. Locke.

Motion/Second: Locke/Crump

Motion to accept the package of amendment approved unanimously

Motion to adopt changes as amended approved unanimously

Dr. Locke introduced a motion to encouraged continued efforts to seek universal newborn hearing screening through voluntary means.

Motion: The Board authorizes the Chair to send a letter to Secretary Selecky supporting the Department of Health's continued efforts to track newborn hearing rates and to encourage hospitals to voluntarily implement universal newborn hearing screening.

Motion/Second: Locke/Edmonds

Approved unanimously

Ms. Edmonds encouraged the advisory committee to reconvene as soon as possible.

PUBLIC HEARING FOR CHAPTER 246-272B WAC: CREATING A SEPARATE CHAPTER FOR LARGE ONSITE SEWAGE SYSTEMS

Carl Osaki, WSBOH Member reminded the Board that this issue had been discussed at the July meeting. He said creation of a separate Large Onsite Sewage System (LOSS) chapter would allow for more efficient LOSS and Small Onsite Sewage System rule revisions (see materials behind Tab 10). Chair Lake declared the opening of public testimony. No one had signed up to testify. Chair Lake closed the public hearing.

Motion: The Board adopts the creation of Chapter 246-272B WAC as proposed in the CR-102 (WSR 03-18-091) and directs the executive director to file a CR-103 accordingly.

Motion/Second: Osaki/Ybarra

Approved unanimously

PUBLIC TESTIMONY

No public testimony was offered.

Joint Work Session, Washington State Board of Health, Yakima Health District Board of Health and Area School Board Members

Linda Lake convened the joint work session at 1:02 pm.

WELCOME AND INTRODUCTORY REMARKS

Chair Lake welcomed members of the Yakima Health District Board of Health and local school boards. Ron Gamache, Chair, Yakima Health District Board of Health, welcomed SBOH to one of the oldest state health districts. He described the makeup of the local board and said I-695 has made the district very “lean and mean.” He said Memorial Hospital provides management services to the health district. Gail Weaver, Vice President, Memorial Hospital, discussed efforts to engage partnerships that look at access to care. In particular, she described the Yakima County Health Care Coalition. Brian Pease, Member, Yakima Health District Board of Health urged a greater focus on urban health. J.R. Hale, OD, Member, Yakima Health District Board of Health, spoke to the lack of adequate service and information for non-English speakers and said he is saddened by the neglect suffered by Hispanic patients.

Ms. Weaver said one concern in Yakima is the reliance on partners that provide many public health services. It has been a successful model; however, as those partners face funding challenges, will they maintain those services? Mr. Gamache mentioned the effectiveness of the local network of primary care providers. Chair Lake asked about environmental health concerns. Panelists mentioned arsenic in drinking water and diesel emissions from school buses. Gordon Kelly, Environmental Health Director, Yakima Health District spoke about the challenges of regulating mobile food units. Dr. Hale mentioned inspections of swimming pools in motels and restaurants. Mr. Osaki reminded the Yakima Board of Health that several rules are under review by the State Board of Health currently that will affect its work. Dr. Hale spoke about Black Rock reservoir and the need to fund water projects for agriculture. Ms. Edmonds asked about other counties using the Yakima jail services and how Yakima has dealt with jail health issues. Mr. Gamache said there is enough capacity to handle the contracts. He said Yakima is very proud of its jail health program.

LOCAL IMPACT OF HEALTH PORTIONS OF THE STATE BUDGET

Rick Weaver described the work of the Yakima County Health Care Coalition. (See slideshow and report provided). SBOH members commended the coalition for its report.

INTRODUCTION TO SCHOOL PHYSICAL ACTIVITY & NUTRITION INITIATIVE

Ms. Ybarra, SBOH Children’s Subcommittee Chair, provided an introduction to the Board’s role in a collaborative initiative to improve nutrition and physical activity in schools. She directed the Board’s attention to the materials behind Tab 3.

THE CHILDHOOD OBESITY EPIDEMIC & THE STATE PLAN

Dr. Hayes summarized the epidemiological facts around obesity and overweight and the state’s plan to address physical activity and nutrition (see materials behind Tab 4 and the executive summary of the *Washington State Nutrition & Physical Activity Plan* for more information). Dr. Chu said he appreciated the coalition’s work, and spoke about the need to provide safe bicycle pathways and walkways. Dr. Hayes stressed that it was important for local communities to take the plan as a framework and tailor it to their needs.

PROMISING SCHOOL PHYSICAL ACTIVITY AND NUTRITION PROGRAMS, PRACTICES AND POLICIES

Donna Johnson, Associate Director, UW Center for Public Health Nutrition, discussed school-based public health strategies for children (see slideshow and healthyschoolswa.org), School board member. Joanne Kilian, Member, Sunnyside #201 School District Board of Directors

discussed possible benefits of year-round school schedules and urged a study of whether there are differences in nutrition and physical activity when schools used modified schedules. Mr. Pease asked Ms. Johnson about adolescent girls' obsession with unhealthy body images. Ms. Johnson noted that the site doesn't mention obesity as such to avoid that very problem. Mr. Osaki said physical activity efforts must extend beyond the schoolyard.

SELECTED PRACTICES IN THE YAKIMA AREA

Marv Purvis, Director Learning Support, ESD 105, described how ESD 105 ensures safe and healthy schools. He described the Naches program making nutrition and fitness fun at the elementary and middle school levels. He also described Yakima middle school efforts to improve physical activity per week at school. He requested help working with the Legislature and other state agencies to reinstitute assessments of physical activity. Although WACs require a certain number of minutes of physical activity, he said, this time may not be allocated, and there may be no accountability for not complying. The accountability is with reading, writing and math, he said.

Joyce Roth, Food Service Supervisor, Toppenish School District, described the 1993 levy that provided for free meals (breakfast, lunch, and after school snacks) and subsequent programs. Produce is ordered locally, all commodities are cooked and processed, and all cooks are certified. Students have hot entrée, fresh fruit and milk flavor choices. Calories are tracked and foods are baked or steamed, not fried. The cafeteria is open to any child, not just those attending school.

Martharose Laffey, WA State School Directors Association mentioned that there had been some question about providing free lunches—if this was a gift of public funds from the ESD. She said the Attorney General ruled that it was not, and she encouraged others to offer free lunches.

Betty Craig, CDH CFPF, Food Service Supervisor, Wapato School District described nutritional education materials on the back of menus that go home with students (see sample menu). She also used a cup of sugar to demonstrate how much sugar is in a can of soda. She also showed a 2½-pound bag of sugar, demonstrating how much sugar the average student takes in daily.

John Piper, Physical Education Teacher, Toppenish School District described the history of Toppenish Health and Fitness program, which started when the medical community came to them with high asthma, diabetes, and obesity rates. Corey Sinclair, Intramural Coordinator, Toppenish School District talked about designing the program and the program goals—providing a safe environment, learning opportunities, building character, positive role models, and having fun (see PowerPoint behind Tab 6). The \$60,000 program is funded by the school district.

OVERVIEW OF OSPI INITIATIVES

Greg Williamson, Policy Coordinator, Office of the Superintendent of Public Instruction (OSPI) thanked the boards and the Washington State School Directors Association for bringing together health and education representatives. Mr. Williamson described the School Improvement Planning Process, adding that more information will be available in January. Pam Tollefsen, Health/Fitness Education Program Supervisor, Office of the Superintendent of Public Instruction reviewed the “Essential Academic Learning Requirements—Health and Fitness” (see materials behind Tab 7). Mr. Williamson reminded the board that the decision makers have attempted to revoke the mandate for a physical activity and nutrition EALR and assessment. Bette Brandis,

Supervisor, National School Lunch/School Breakfast/Special Milk Programs, OSPI, handed out materials on “Child Nutrition Programs in Washington State, 2003,” Substitute House Bill 1866, and food pyramid magnets. Sue Lankow, Program Specialist, OSPI described the school nurses’ important role.

Mr. Osaki thanked school districts for their role in providing students with food safety information during the *E. coli* outbreak. Students took home information and taught their parents how to properly cook meat. Dr. Chu asked about OSPI’s role in removing soda from schools. Mr. Williamson mentioned actions around the country on this effort.

ACTION FOR HEALTHY KIDS

Andrea Hill, Washington State Dairy Council described “Action for Healthy Kids” (see materials behind Tab 8). Mr. Williamson added that WSSDA has model policies for school districts.

WASHINGTON SCHOOL BOARD CHALLENGE

Karen Valenzuela, Policy Committee Co-Chair, Washington State Public Health Association described WSPHA resolution 02-03 (behind Tab 9). Mary Kenfield, Government Affairs Liaison, Washington State Parents and Teachers Association formally extended the Washington School Board Challenge to the school board members (see handout behind Tab 9). Susan Laarman, Consultant, Stonyfield Farms Inc described Stonyfield Farms’ role—providing the cash prize and administrative support, and encouraging other businesses to get involved. Ms. Laffey, accepted the challenge on behalf of WSSDA. She thanked Stonyfield Farms, WSPHA and WSPTA for helping raise awareness among busy school board members with this challenge.

CLOSING REMARKS AND NEXT STEPS

Barbara Greenberg, Yakima School District, noted the difficulty for school districts in improving school nutrition and physical activity is in finding political and financial support for systemic change. She mentioned the give and take between support programs and basic academic programs, saying schools can’t do it as well as they would like to with existing funding.

Ms. Kilian requested that health agencies ask education agencies if the way they calendar their year is a help or a hindrance.

Dr. Hayes added that parents’ voices are important—they can be an opposition or an advocacy voice. She described the need to help parents understand the importance of health, and said that agencies need help from communities. Education can’t be done without health, she said.

Chair Lake added that this was meant to be a work session, to understand the complexity of the issues and possible future roles for local boards of health and for local school boards. Ms. Ybarra thanked the programs and organizations involved in today’s session.

ADJOURNMENT

Chair Lake adjourned the meeting at 4:44 p.m.